

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 10/663,685
Attorney Docket No.: Q77511

AMENDMENTS TO THE DRAWINGS

Applicant is attaching herewith two (2) sheets of replacement drawings. FIGS. 3 and 4 have been amended to include the legend --PRIOR ART--. The submitted replacement sheets are intended to replace FIGS. 3 and 4 originally filed on September 17, 2003.

Attachment: Two Replacement Sheets (2)

REMARKS

Claims 1-16 are all the claims pending in the present application. By this Amendment, Applicant amends claims 1 and 3 to further clarify the invention. In addition, Applicant adds claims 6-16. Claims 6-16 are clearly supported throughout the specification. For example, Fig. 1 provides support for claims 6-9, page 9, line 24 to page 10, line 7 of the specification provide support for claims 10-12, and page 10, lines 8 to 19 of the specification provide support for claims 13-16.

I. Preliminary Matters

The Examiner has initialed the references listed on Form PTO/SB/08 A & B submitted with the Information Disclosure Statement filed on September 17, 2003. In addition, the Examiner has acknowledged the claim to foreign priority and confirmed that the certified copy of the priority documents was received.

II. Summary of the Office Action

The Examiner objected to the drawings and the specification for minor informalities. The Examiner also rejected claims 1-5 under 35 U.S.C. § 102(b).

III. Drawings Objection

The Examiner has objected to the drawings received on September 17, 2003 because allegedly FIGS. 3 and 4 should be labeled "prior art" (see page 2 of the Office Action). By this Amendment, Applicant labels FIGS. 3 and 4 --prior art--. Accordingly, Applicant respectfully requests the Examiner to withdraw this objection to the drawings.

IV. Specification Objections

The Examiner has objected to the title of the application for being non-descriptive (see page 2 of the Office Action). In view of the self-explanatory amendment to the title, it is appropriate and necessary for the Examiner to withdraw this objection.

In addition, the Examiner objected to the Abstract of Disclosure for including legal phraseology such as the term “said” (see page 3 of the Office Action). In view of the self-explanatory amendment to the Abstract being made herewith, Applicant respectfully requests the Examiner to withdraw this objection.

V. Claim Rejection

Claims 1-5 are all the claims pending in the application. Claims 1-5 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,433,963 to Meguro et al. (hereinafter “Meguro”). Applicant respectfully traverses this rejection in view of the following comments.

The Examiner contends that Meguro suggests each feature of independent claims 1 and 3. These rejections are not supportable for at least the following reasons. Claim 1, among a number of unique features, recites “wherein said disk medium is fixedly attached to the center core, where said disk medium is disposed entirely above the center core.” Claim 3 recites “wherein said large-diameter portion comprises a substantially straight top surface of said center core.”

Meguro discloses a disc cartridge 1, which includes a flexible magnetic disc 5, and a main cartridge body unit 6 adapted for rotationally accommodating this flexible magnetic disc 5. Moreover, the cartridge 1 has a center hub 11, adapted to rest on a disc table 9 of a disc rotating driving mechanism on the disc driving device, which is mounted with an adhesive layer 12 in the center aperture 8 of the flexible magnetic disc 5 (Figs. 1 and 2; col. 3, lines 38 to 49). In

Meguro, the center hub 11 includes a substantially cylindrical center portion 13, adapted to rest on the disc table 9, and a flange portion 14, formed integrally with the outer periphery of the center portion 13 and which is adapted for being fitted on the inner rim of the center opening 8 of the flexible magnetic disc 5. The center portion 13 of the center hub 11 is formed integrally with an engagement recess 17 engaged by an engagement projection 16 formed on the disc table 9 of the disc drive device (Fig. 3; col. 3, lines 50 to 64).

The Examiner equates the center hub 11 of Meguro with the center core as set forth in claims 1 and 3 (see page 3 of the Office Action). In Meguro, however, the disc 5 is mounted on an adhesive layer 12 only on top of the flange 14 of the center hub 11 but below the top of the mid portion 13 (Fig. 3; col. 3, lines 50 to 64). The top surface of the center hub 11 formed by mid portion 13, however, abuts the upper plate 22 of the cartridge 6 (Fig. 20, col. 10, lines 35 to 44). That is, in Meguro, the disc 5 is not mounted above the top surface of the central hub 11 but rather only on top of the flange portion 14. In other words, Meguro fails to teach or suggest having the disc 5 fixedly attach to the center hub 11 and be disposed entirely above the center hub 11. In short, in Meguro, the disk 5 is not disposed on top of the middle portion 13 of the center hub 11. As such, the disk 5 is not disposed entirely above the center hub 11.

Similarly, in Meguro, the central hub 11 has a larger diameter where it is integrally formed with a flange 14, the top surface of the flange would not be the top surface of the center hub 11, as the top surface comprises only the mid portion 13, which abuts the upper plate 21. Assuming *arguendo*, the Examiner alleges that the top surface of the central hub 11 comprises of the top surface of the flange 14 and the top surface of the mid portion 13, then the top surface is

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not substantially straight but is curved to connect the flange 14 to the mid portion 13. In other words, Meguro does not teach or suggest the large-diameter portion having a substantially straight top surface of said center core.

In summary, the deficiencies of the Meguro reference fall to the Examiner's burden to show inherent inclusion of the claim elements. Therefore, for all the above reasons, independent claims 1 and 3 are patentable. Claims 2, 4, and 5 are patentable at least by virtue of their dependency on claims 1 and 3.

VI. New Claims

In order to provide more varied, Applicant adds claims 6-16. Claims 6-16 are patentable at least by virtue of their dependency on claim 1 or 3.

VII. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Nataliya Dvorson
Registration No. 56,616

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: July 25, 2005

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